

PRODUCT: 157 pounds of dressed turkeys at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of birds contaminated with excreta; and, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal, or of an animal which had died otherwise than by slaughter.

DISPOSITION: January 3, 1951. Default decree of condemnation and destruction.

SPICES, FLAVORS, AND SEASONING MATERIALS

17098. Adulteration and misbranding of terpeneless oil of lemon. U. S. v. D. W. Hutchinson & Co., Inc., and Wallace Hutchinson. Pleas of guilty. Fine, \$900. (F. D. C. No. 26694. Sample Nos. 13201-K, 13216-K, 18047-K.)

INFORMATION FILED: December 22, 1950, Southern District of New York, against D. W. Hutchinson & Co., Inc., and Wallace Hutchinson, president of the corporation.

ALLEGED SHIPMENT: On or about January 29, February 17, and March 9, 1948, from the State of New York into the States of New Jersey and Indiana.

LABEL, IN PART: "D. W. Hutchinson & Co. Incorporated Perfumers Chemicals Raw Materials Fine Drugs Essential Oils For Manufacturing & Professional Use Only Net 1 lb. [or "5 lbs."] Oil Lemon Terpeneless * * * New York."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of insufficiently concentrated lemon oil and other flavoring substances had been substituted for terpeneless lemon oil; and, Section 402 (b) (4), flavoring substances other than terpeneless lemon oil had been added to the product so as to reduce its quality and make it appear to be terpeneless lemon oil, which is better and of a greater value.

Misbranding, Section 403 (b), the product consisted of a mixture of insufficiently concentrated lemon oil and other flavoring substances, and it was offered for sale under the name of another food, namely terpeneless lemon oil.

DISPOSITION: January 30, 1951. Pleas of guilty having been entered, the court imposed a fine of \$900 against the defendants, jointly and severally.

17099. Adulteration and misbranding of imitation black pepper. U. S. v. 8 Cases * * *. (F. D. C. No. 30313. Sample No. 91892-K.)

LIBEL FILED: November 28, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about October 13, 1950, by Quality Trading Corp., Inc., of New York, N. Y.

PRODUCT: 8 cases, each containing 24 3-ounce shakers, of imitation black pepper at Raritan, N. J. Examination disclosed that the article consisted essentially of buckwheat hulls, an unidentified cereal, pepper, chilies, and salt.

LABEL, IN PART: "Unger Brand Black Pepper Contents 3 Oz. * * * Imitation Packed By Unger & Sons Brooklyn, New York" or "Unger Brand Imitation Black Pepper Contents 3 Oz. Packed By Unger & Sons Brooklyn, New York."

The words "Black Pepper" appeared on the labels in bold type, whereas the word "Imitation" was so small that it was likely to be overlooked.